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IN THE

Supreme Court of the United States

OCTOBER TERM, 1974

NO. 74-607

CLEVELAND MILLS COMPANY,

Petitioner

vs.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

On Petition For A Writ Of Certiorari To The United States Court Of Appeals For The Fourth Circuit

MEMORANDUM FOR PETITIONER RELATIVE TO THE COMMISSION'S FILING OF OPPOSITION

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NOW COMES the Petitioner and respectfully shows to the Court that:

The Petition for a Writ of Certiorari herein was timely filed in this Court on November 18, 1974.

On February 18, 1975, the Petitioner received, in the United States mail, copies of a "Memorandum For The Equal Employment Opportunity Commission In Opposi-

tion". The Petitioner is informed, by the Office of the Clerk of this Court, that such Memorandum in opposition was filed in this Court on February 14, 1975.

The Petitioner is further informed, by the Office of the Clerk of this Court, that the Equal Employment Opportunity Commission has not at any time obtained, or sought, any extension of time for the filing of opposition to the Petition for Certiorari. Nor has the Commission at any time communicated with the Petitioner, or its Counsel, with respect to any extension of time, or any request for extension of time, for the filing of opposition to the Petition for Certiorari.

It is the Petitioner's understanding, and the Office of the Clerk of this Court confirms to the Petitioner, that the "Memorandum For The Equal Employment Opportunity Commission In Opposition" has not been timely filed, in accordance with the Rules of this Court.

WHEREFORE, it would appear that the Commission's Memorandum in opposition should not be considered by the Court in determining whether to grant the Petition for Certiorari.

Respectfully submitted,

WHITEFORD S. BLAKENEY
Attorney for the Petitioner